

# The Semi-Weekly Messenger.

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## NEGRO SOLDIERS

### Occupy the Time of the Senate

### TILTS BETWEEN SENATORS

### Over the Reinstatement of Discharged Colored Troops

President Has no Authority in the Premises—Bill to Be Introduced for Reinstatement of Troops Under Certain Conditions—Currency Bill Discussed by Senator Clark of Arkansas.

Washington, March 11.—The pending currency bill was discussed by Senator James P. Clark, of Arkansas, who declared he would vote for neither the Aldrich bill nor the Bailey substitute.

The consideration of the Panama transportation bill which was to have proceeded today was postponed until tomorrow.

The reading of the president's message and the several reports from the committee on military affairs called forth the undivided attention of the senate today.

Senator Culberson, inquired why consideration was necessary to permit the president to reinstate the soldiers of the 25th regiment, and Mr. Warren, chairman of the committee, replied that the president had no authority to restore with rights and privileges after ninety days, and that for that purpose the proposed legislation would have to be enacted.

Mr. Tillman said he wanted all the reports and the president's message printed in a single volume.

"I also want in the document," said Mr. Tillman, "the message of the president discharging these men and then his message taking it back. I want the entire report so it can be sent out for the benefit of the 'niggers' of the country."

Senator Bailey inquired whether the committee had prepared a bill to reinstate the colored soldiers. Referring to the president's recommendation and to the recommendation of several members of the committee for legislation to restore the colored soldiers, Senator Bailey said that there seemed to be a race of diligence to see who could satisfy the dissatisfied republicans before the republican convention and before the general election.

"The senator, is, of course, giving his views from a democratic standpoint," retorted Mr. Warren.

Mr. Bailey replied that people could not see themselves as others see them.

"And most fortunate it is they cannot," said Mr. Warren.

"But if some power would give the senator from Wyoming power to see the republican party now he would be more ashamed of this than I have ever been ashamed of myself, that is if he can be put to shame."

"I am quite content," Mr. Bailey continued, "to sit here and see the senator from Wyoming and the senator from Ohio (Mr. Foraker) fight this out between themselves."

The truth is the senator from Ohio needs none of my assistance or sympathy, but as between a multitude and one man I almost sympathize with the one man if he is wrong."

Senator Foraker said the president had not had power to reinstate the men and added:

"He will have to wait on congress before right and justice can be given to these men."

After an exchange of words between Mr. Foraker and Mr. Warren the latter said a bill permitting the re-enlistment of the soldiers would be introduced very soon. There were matters concerning their pay that would have to be considered before the bill could be put in.

Mr. Foraker said he wanted to know what the committee proposed to do, because he might have a bill to put in himself.

Mr. Warren said he thought the committee bill would restore all rights with pay to commence at the time of the re-enlistment.

"I agree as to that," said Mr. Foraker.

Mr. Tillman, reverting to his request that the president's order dismissing the men be printed with the testimony at the beginning of the pamphlet, separate from the president's "more or less arbitrary action," said that the president had made progress toward giving these negroes justice.

The senate agreed to print the several reports and the president's message in a single volume as suggested by Mr. Tillman.

**HOUSE**  
Determined and persistent assaults on the postoffice appropriation bill in the house of representatives today resulted in the amplification of that measure in many important particulars, despite the protests of Chairman

Overstreet and his committee. The letter carrier finally won their long fight for \$1,200 salaries when an amendment by Mr. Goebel, of Ohio, granting the same was adopted. The house also allowed an additional twenty-five thousand dollars for clerks in third class offices where the salaries of the postmasters range from one thousand to twelve hundred dollars, and fifteen thousand dollars additional for contracts stations. The prohibitionists also had their innings, when, through an amendment by Mr. Houston, of Tennessee, there was incorporated in the bill a provision prohibiting the transmission through the mails of intoxicating liquors, which was later amplified so as to include cocaine and its derivatives. Altogether the appropriations carried by the bill were increased to the extent of \$1,225,000.

Consideration of the measure had not been concluded when the house at 5:13 p. m.

The following is the text of the president's message sent to the senate today:

To the Senate:

On December 12, 1906, the secretary of war by my direction issued the following order:

"Applications to re-enlist from former members of companies B, C, and D, 25th infantry, who were discharged under the provisions of special orders No. 662, war department, November 8, 1906, must be made in writing and accompanied by such evidence, also in writing, as the applicant may desire to submit to show that he was neither implicated in the raid on Brownville, Texas, on the night of August 13, 1906, nor withheld any evidence that might lead to the discovery of the perpetrators thereof."

Proceedings were begun under this order, but shortly thereafter an investigation was directed by the senate, and the proceedings under the order were stopped. The senate committee entrusted with the work has now completed its investigation and finds that the facts upon which my order of discharge of November 9, 1906, was based are substantiated by the evidence. The testimony secured by the committee is therefore now available and I desire to review the order of December 12, 1906, and to have it carried out in whatever shape may be necessary to achieve the purpose therein set forth; any additional evidence being taken which may be of aid in the ascertainment of the truth. The limit during which it was possible to reinstate any individual soldier in accordance with terms of this order has, however, expired. I therefore recommend the passage of a law extending this time limit, so far as the soldiers concerned are affected, until a year after the passage of the law, and permitting reinstatement by direction of the president of any man who in his judgment shall appear not to be within the class whose discharge was deemed necessary in order to maintain the discipline and moral of the army.

THERODORE ROOSEVELT,  
The White House,  
March 11, 1908.

### PISTOL BATTLE IN DARK ROOM

#### Three Men Shot, Two Probably Fatally—Young Girl Saves Brother's Life.

Shawnee, Okla., March 11.—As the result of a pistol battle in a darkened bedroom at the home of Thomas Nichols, three men were shot, two of whom are expected to die, and further bloodshed was prevented by the heroism of Miss Bessie Nichols, sixteen years of age.

Charles Nichols and Joe McClutcha were arrested.

The wounded: Mae McClutcha and Thomas Nichols, fatally wounded.

William McClutcha, slightly wounded.

At a country dance near Kiowa last night an altercation occurred between members of the McClutcha and Nichols families. After the dance Charles Nichols went home accompanied by a friend. Some time after retiring Nichols and his friend were aroused by some one entering the house. They seized their guns and began firing, the shots being returned. Thomas Nichols, father of the young man, rushed into the room armed and the shooting became general.

Bessie, Charles Nichols' sister, sprang between two of them. She knocked aside one weapon and probably saved her brother's life.

### NEARING MAGDALENA BAY.

People Wild With Enthusiasm Over Approach of American Fleet.

Sandiego, Cal., March 11.—The American battleship fleet under the command of Admiral Evans is tonight about 200 miles south of Magdalena Bay, lower California, and should put into that harbor late tomorrow.

No reports of the arrival will be available probably until tomorrow night.

The ships are said to be maintaining a 10-12 knot speed and this, it is estimated would bring them late tonight within 200 miles of Magdalena Bay.

The enthusiasm of the people knows no bounds and all are looking forward to the visit of the fleet as a notable event in the history of the Pacific coast.

### FRESH AIR

and exercise are necessary to health. There is no more healthful exercise than a walk on the sands at the beach. A convenient schedule on the Suburban Line puts the beach within easy reach.

## WITNESS WARNED

### As to the Character of His testimony

### WANT FACTS NOT CRITICISM

### Commander Key Resumes His Testimony Before Committee

Compares American Ships With British Ships—Witness Pays Fine Tribute to American Navy—His Duties as Naval Adviser to the President Were Chieftly to Attend Functions.

Washington, March 11.—Before Commander A. L. Key, former naval aide to the president, resumed his testimony before the senate naval affairs committee today, Chairman Hale made a statement in reference to the controversy of yesterday when the witness showed a disposition to attack the testimony given by Chief Constructor Capps and other official champions of American methods of construction.

"You may go on under the rules of the committee," warned Mr. Hale.

"You may make statements from your own knowledge and observation. It is not a part of the conditions laid down by this committee for one witness to take up the testimony of another witness and criticize testimony he believes to be misleading."

Commander Key agreed to comply with his ruling. He then proceeded to compare American ships constructed since 1899 with British ships built in the same period. His diagrams tended to show that American vessels are overbuilt to a greater degree than the English ships. He agreed with Admiral Remey and Captain Winslow that ships should carry full bunkers of coal when they go into action, and he said that not to do so would be "preposterous." His observations in regard to the draft of vessels were that the decision of the Walker board of May 18, 1896, that "a battleship's normal draft should be her fighting draft, not her maximum draft with full stores on board," had been disregarded by the naval constructors.

"How are we to remedy these violations of the law?" asked Mr. Tillman, who also wanted to know what guarantee congress has that good fighting ships would be built with the money appropriated. This led to a general discussion and Commander Key suggested that the general boards which are not responsible under the law, have too much authority.

"You were naval aide to the president; what were your duties?" asked Mr. Tillman.

"Chiefly to attend functions at the White House," the commander began, but he was interrupted by Mr. Tillman, who said:

"In uniform just as an ornament?"

"Oh, no sir, not at all," the witness replied. "The naval aide goes with the president on trips to visit ships or on voyages. He is a sort of an attendant."

Mr. Martin wanted to know if the aide is not expected to advise the president in regard to the naval program and other matters.

"If the president has a young officer in that capacity has advice would be resented by other officers, I think," said the commander.

Chairman Hale questioned Commander Key about the work he had done while naval aide to the president, in endeavoring to promote the chances for naval personal legislation.

"My efforts were purely personal and had no connection with the duties at the White House," the commander said. "I didn't think that being aide to the president I had lost my personal independence."

"But you do not think such a lessened your influence?" asked Mr. Hale.

"My work was entirely with officers and not with congressmen," the witness replied.

Senator Tillman called attention to the campaign conducted by midshipmen for the personnel bill and Commander Key denied that he was responsible for that campaign.

The witness explained his reasons for believing that it was not necessary to extend the armor belt more than five feet below "actual" water line, and the advisability of having the remainder of the armor belt above the water line. He criticized a number of the American ships on the ground that the free board was insufficient in heavy seas, the effect being that the gun checks were so low that the big guns could not be fired in such seas. He found flaws also in the turrets and ammunition hoists.

Commander Key said that the American is the only one in the world that has "hung onto a type of hoist which does not isolate the handling room from the guns."

Mr. Tillman was anxious to know

who was responsible for this fact and asked how long the American navy had persisted in keeping this type.

"Six years since the dangers of this hoist became positively known," said the witness. "In that time it has cost fifteen lives."

"Six years," repeated Mr. Tillman. That is one year less than Mr. Roosevelt has been president and he came from the navy department, and is supposed to know about these faults."

Commander Key said that the fifteen lives were unnecessarily sacrificed, but that the chief of ordnance has now asked for more than \$2,000,000 in order to correct the defects in the hoists.

In concluding his testimony the commander paid a great tribute to the American navy and especially the gunnery. "It is a fine thing," he said, "that a young man, green from a farm in the west, can be taken on a ship now and drilled so that in three months he can make a hit with one of the big guns every forty seconds."

The committee decided in executive session not to take further testimony concerning the criticism made of structural matters and to decide at another meeting what other matters will be taken up.

### THE THAW DIVORCE SUIT.

Papers Served Upon Harry K. Thaw. Statement of Counsel.

New York, March 11.—Harry K. Thaw was served late today with a copy of the summons and complaint in the proceedings brought by his wife, Evelyn Nesbit Thaw, to annul their marriage. A messenger delivered the papers to Thaw at the Mattewan insane asylum and about the same time Mrs. William Copley Thaw, who is made a co-defendant, was served at the hotel Trianon in this city.

Daniel O'Reilly, counsel for Evelyn Nesbit Thaw, explained that Thaw's mother was made a co-defendant because, being the next of kin, she is technically the real defendant. The law presumes her son to be insane and, therefore, legally dead. Mrs. Evelyn Thaw called at Mr. O'Reilly's office today and attached her signature to the papers in the case. As she left the office Mrs. Thaw was asked whether she would subsequently make public the cause of the estrangement which led to the suit. She replied:

"The public will never know."

The papers served today briefly review the fact of the marriage at Pittsburg on April 4, 1905, and set forth that at the time of the marriage of the plaintiff to the defendant the defendant was a lunatic and of unsound mind and was incapable of making a valid contract of marriage. The cause for annulling the marriage to wit: the lunacy of Harry Kenneth Thaw existed at the time of such marriage.

Lawyer O'Reilly said that he did not anticipate any trouble in obtaining the defendant's counsel fees and alimony.

A. Russell Peabody, counsel for Thaw, said:

"It will not be necessary for Evelyn to go to the courts in order to get counsel fees and alimony while the suit is pending. She has been getting money from me to pay her expenses while Harry is confined and this will be continued during the trial of the annulment suit."

"I shall fight the case upon instructions from my client and shall represent him personally in the defense."

The matter of a cash settlement upon the plaintiff has not been taken up, Mr. Peabody said.

### SUPERIOR COURT OPINIONS.

Governor Glenn Unable to Go to Florida—Charter Granted.

(Special to Messenger)

Raleigh, N. C., March 11.—A charter is granted the Charlotte Medical Journal Company, amount of capital stock being \$25,000, Dr. E. C. Register and others stockholders.

Gov. Glenn, who had intended to open the Florida anti-saloon convention at Gainesville has been compelled to decline.

Seventh district appeals will be called next Tuesday in following order by the supreme court: Rutherford vs. Ray, McGaskill vs. Walker, Audit Co. vs. McKenzie, Britt vs. Railroad, Brown vs. S. A. L. Ry., Wade vs. Telephone Co., Organ vs. Snyder, Talbot vs. Tyson, Beasley vs. Railroad.

Supreme court opinions handed down as follows:

Smith vs. Lumber Co., from Craven, no error; Adams vs. Joyner, from Craven, affirmed; Nelson vs. A. C. L. Ry. Co. relief department, action in both appeals dismissed; Wallace vs. Salisbury, from Martin, affirmed; Saint George vs. Hardie, from New Hanover, no error; Jones vs. Norris, from Duplin, no error; Maffitt vs. Hammerland, from New Hanover, affirmed; Ice Company vs. Southern Railroad, from Cleveland, new trial in both cases; Davis vs. Railroad, from Cleveland, new trial; Hickory Granite Company vs. Southern Railway, from Catawba, reversed; Moore vs. Guiley, from Franklin, per curiam, motion for certiorari denied.

### Jury Disagreed.

Jackson, Ky., March 11.—The jury in the case of John Abner, charged with aiding in the murder of Town Marshal James Cockrill, during the Hargis-Cockrill feud, in 1902, reported today a hopeless disagreement and was discharged.

## TRAGEDY IN BOSTON

### Miss Weed Shoots and Kills Miss Hardee

### THEN COMMITS SUICIDE

### Was Suffering From Melancholia Due to Overwork

Were Intimate Friends Since Their Graduation from Same College. Had Recently Opened a School in Boston—Miss Hardee a Native of Savannah Ga.

Boston, Mass., March 11.—Suffering from melancholia due to overwork Miss Sarah Chamberlain Weed, of Philadelphia, shot and killed Miss Elizabeth Bailey Hardee, of 214 Gwinnett street, East Savannah, Ga., and then committed suicide at the Laurens school for girls in the Fenway district today.

The Laurens school was established last fall by Miss Hardee and Miss Weed. On October 1, the day the school opened, Miss Weed broke down as a result of overwork, and was committed to a sanitarium in order to be treated for nervous prostration. Last night Miss Weed escaped from the sanitarium and made her way to the school. She appeared to be badly deranged mentally. A fruitless attempt was made to communicate with the authorities of the sanitarium, and at length Miss Hardee succeeded in getting Miss Weed to go to bed in Miss Hardee's chamber on the third floor of the school building. Miss Hardee retired with Miss Weed.

Both women were awakened by Mrs. Page about 6 a. m. and notified that they must get up if they were to catch the 7:35 train on which Miss Weed was to be taken back to West Newton. Mrs. Page left them, and in a few minutes later the shooting occurred. Mrs. Page thinks the mention of returning to the sanitarium must have excited and angered Miss Weed and induced the shooting.

From the nature of the wounds Medical Examiner Stedman decided Miss Weed had committed suicide by shooting herself through the right temple, after having shot Miss Hardee through the base of the brain.

Both women were about 32 years of age, and they had been intimate friends since their graduation from Wellesley college, Miss Hardee receiving a diploma in 1894, while Miss Weed received her's a year later. Miss Hardee was an instructor in mathematics at Wellesley in 1899 and 1900 and since that time has been teaching in Vermont.

Miss Weed had also been teaching in various sections of the country. Last summer the two women decided to open a boarding school for girls on Audubon Road in the Fenway district. On October 1, the day upon which the Laurens school, as they called it, was opened Miss Weed broke down as a result of overwork and was taken to a sanitarium in West Newton, where she had since been under treatment. While at the sanitarium Miss Weed had been subject to severe attacks of melancholia.

Escaping last night she made her way to Laurens school where Miss Hardee volunteered to care for her during the night.

Miss Weed behaved in a peculiar manner, according to the teachers, wandering aimlessly about the school building and occasionally making some strange or incoherent remark.

At length Miss Hardee persuaded Miss Weed to retire and the demented woman followed her to her own chamber on the third floor of the school building.

The pupils at the school, about forty in number, are the daughters of wealthy parents from all sections of the country.

Miss Hardee, in addition to her school work had taken great interest in settlement work in this city, especially among Italian in north end. During her college career she was prominent in many branches and extremely popular. Miss Weed's work since leaving college has been confined almost entirely to teaching.

While in the sanitarium at West Newton she was frequently subject to extreme prostrations of weeping, but did not seem to hold any animosity against any of her friends.

Philadelphia, March 11.—Mrs. Silvia M. Weed, the mother of Miss Sarah Chamberlain Weed, lives at 110 West Willow Grove avenue, Chestnut Hill, a fashionable suburb of Philadelphia, with a daughter and L. W. Taylor, an uncle of the dead woman. The family did not know of the tragedy until shown an Associated Press dispatch from Boston, and it was decided not to inform the mother who is a widow and is ill in bed, until official confirmation shall have been received from a sister of the dead woman

who is librarian at Wellesley college. The sad intelligence was first imparted to Miss Harriet M. Weed, another sister living with the mother.

This sister said that the family knew that Miss Sarah Weed was ill in New England with nervous prostration but did not believe that he condition was as serious as it must have been for her to commit such a deed.

Miss Sarah Weed occasionally visited the mother, accompanied by Miss Hardee. Miss Sarah received her education in Boston.

Savannah, Ga., March 11.—Miss Hardee, who was killed today, was a daughter of William P. Hardee, an attorney of this city. Her brother, Cosmo Hardee, left for Boston today.

### CHARLOTTE GETS CONVENTION.

Committee Votes Down Resolution Endorsing Bryan and Aycock for President and Vice-President.

(Special to The Messenger)

Raleigh, N. C., March 11.—The democratic state committee was in session tonight at the capitol two and a half hours and the assemblage was notable 71 being present, claims H. Chatam, present.

The latter said that North Carolina democracy was virile and aggressive and sure to win this year.

A resolution introduced by A. M. Scales, of Greensboro, to endorse Bryan and Aycock for president and vice-president, was shelved after long debate by the adoption by a vote of 41 to 36 as was another one which declared that this committee had no power to endorse any candidate. Tributes were paid three dead members of the committee, R. H. Bunn, J. R. Lewellen and Robert J. Brevard. It was decided to hold the convention at Charlotte, June 24.

Charlotte was chosen by a vote of 49 to 29. This is really proof of the strength of Locke Craig as a candidate for the nomination for governor. The last state convention held at Charlotte was in 1858.

### TO REGULATE STOCK DEALING.

Official Requested to Investigate Methods With View of Future Legislation.

Washington, March 11.—President Roosevelt has directed Herbert Knox Smith, of the bureau of corporations, to investigate the methods of stock trading with a view to furnish the basis of possible future legislation regulating such practices. The difficulty is recognized of attempting federal regulation of the transfer of stocks which will operate to curtail purely gambling contracts and at the same time work no hindrance to legitimate transfers, and it is announced to be for the purpose of proceeding on sound principles that the investigation is being made. President Roosevelt has declared himself to be decidedly in favor of eliminating stock gambling.

For several months the president has been in receipt from time to time of communications from various interested persons urging him to lend his influence to secure the enactment of national legislation prohibiting use of telegraph or telephone wires, and the United States mails for the transmission of quotations on stocks and food commodities for "bucket shops." The president informally discussed with Mr. Smith, commissioner of corporations, these communications and subsequently submitted some of them to Secretary Straus of the department of commerce and labor, with a request that Commissioner Smith make a general inquiry into the practicability of attempting to have such legislation enacted. In a memorandum transmitting the matter to Commissioner Smith Secretary Straus directed him to investigate the subject with special reference to the enactment of such laws in other countries, particularly Germany, and to make report which could be submitted to the president for his information. It is not the purpose of Secretary Straus or Commissioner Smith to make any general investigation of stock transactions. The inquiry will be confined substantially to the feasibility of enacting such proposed laws to control the operations of "bucket shops."

### LILLEY TO BE FIRST WITNESS.

Committee Will Begin Investigation of Charge Today.

Washington, March 11.—The actual investigation of the charges made by Representative George L. Lilley, of Connecticut, that improper methods have been used by the Electric Boat Company to influence legislation in Congress in favor of the type of submarine boats built by that concern will be begun tomorrow morning by the special committee appointed by Speaker Cannon as follows: Representative Boutwell, of Illinois, chairman; Olmsted of Pennsylvania, Stephens of Minnesota; Broussard of Louisiana, and Howard of Georgia.

Mr. Lilley has retained as his attorneys Frank T. Brown, of Norwich, and Stiles Judson, of Stratford, Conn., the latter a member of the Connecticut senate. When Mr. Lilley comes before the committee he will repeat his protest against the committee's ruling which deprives him of the rights to examine witness directly through his counsel and which requires him to become the first witness. He will again ask that he be allowed to proceed according to his own ideas of investigation. This request will be denied and Mr. Lilley will then take the stand and be sworn.